

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,037	11/02/2001	William D. Morgan	IAEC:006US/MTG	1213
7:	590 12/19/2002			
	& JAWORSKI L.L.P.	EXAMINER		
A REGISTERI SUITE 2400	ED LIMITED LIABILITY	MENON, KRISHNAN S		
600 CONGRESS AVENUE AUSTIN, TX 78701			· · · · · · · · · · · · · · · · · · ·	
			ART UNIT	PAPER NUMBER
			1723	<i>i</i>
			DATE MAILED: 12/19/2002	4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Krishnan S Menon T723			Application No.	Applicant(s)			
Examiner Art Unit Krishnan S Menon 1723	Office Action Summary		10/003 037				
Period for Reply							
Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available used the provisions of 3 CPR 1.13(d). In or event, however, may a reby be timely flied after SIX (b) MONTHS from the mailing date of the communication. Extensions of time may be available used the provisions of 3 CPR 1.13(d). In or event, however, may a reby be timely flied after SIX (b) MONTHS from the mailing date of the communication. If NO period for exply is specified above, the maximum statutory period will apply and will deplied SIX (b) MONTHS from the mailing date of this communication, even if timely flied may induce any Status. 1) □ Responsive to communication(s) filled on 23 September 2002 2a) □ This action is FINAL. 2b) □ This provision of Claims 4) □ Claim(s) 1-32 is/are pending in the application. 4a) □ Claim(s) 1-32 is/are pending in the application. 4a) □ Claim(s) 1-32 is/are pending in the application. 4b) □ Claim(s) 1-32 is/are allowed. 6) □ Claim(s) 1-32 is/are allowed. 7) □ Claim(s) 1-32 is/are allowed. 8) □ Claim(s) 1-32 is/are allowed. 8) □ Claim(s) 1-32 is/are allowed. 10) □ The drawing(s) filed on 1-1 is/are: a) □ accepted or b) □ objected to by the Examiner. 10) □ The drawing(s) filed on 1-1 is/are: a) □ accepted or b) □ objected to by the Examiner. 11) □ The drawing(s) filed on 1-1 is/are: a) □ accepted or b) □ objected to by the Examiner. 12) □ The oath or declaration is objected to by the Examiner. 12) □ The oath or declaration is objected to by the Examiner. 13 □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f) a) □ All b) □ Some 1-0 □ None of: 1 □ Certified copies of the priority documents have been received. 2 □ Certified copies of the priority documents have been received in Application No. 3 □ Opies of the certified copies of the prior							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extreasors of time may be available under the proclaims of 3 CFR 1.156(a). In no event, honever, may a reply be timely filled. If the period for reply separation down the maximum statutory priorical may be a substituted to reply separation of the reply in the second down the maximum statutory priorical majory and villed in this (30) days will be considered invery. If No period to reply separation down the maximum statutory priorical majory and villed party (50) may a reply within the statutory minimum of this (30) days will be considered invery. If No period to reply separation down the maximum statutory priorical majory and villed the separation in the mailing date of this communication. Any reply received by the Cflick state them time modulishment statutory minimum statutory priorical and this communication. Any reply received by the Cflick state them times modulishment that suggestion to become ARANCONED (39 Lt 6 3 13). Status. 1) Separation is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 8) Claim(s) is/are explicated to extract the restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. 11) The proposed drawing correction filed on is/are: a) approved by disapproved by the Examiner. 12) The coath or declaration is objected to by the Examiner. 12) The coath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Acknowledgme							
THE MAILING DATE OF THIS COMMUNICATION. Extensions of the may be available under the provisions of 3 CPR 1.13(a). In no event, however, may a reply be limitly filed after SIX (6) MOXHIST from the mailing date of this communication. It NO period for reply is question to be mailing date of this communication. It NO period for reply is question to be the maximum statutory period willagely and will be post X(e) (MOXHIST from the mailing date of finis communication. Fallow to reply within the set or extended period for reply will. by statute, cause the application to become ARANDONED (35 U.S. C.§ 133). Any reply received by the Official period for reply will. by statute, cause the application, even if timely filed, may reduce any examine plants turm adjustment. See 37 CFR 1.79(b). Status 1) Responsive to communication(s) filled on 23 September 2002. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)		• •					
1) Responsive to communication(s) filed on 23 September 2002. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: all accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: all approved by the Examiner. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some coll hope of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in Application No. 41) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The	 THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 						
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quay/e, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)		Responsive to communication(s) filed on 23 S	Centember 2002				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ○ Claim(s)							
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ○ Claim(s) 1-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) □ The proposed drawing correction filed on is: a) □ approved b) □ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) □ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1 □ Certified copies of the priority documents have been received. 2 □ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) □ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) □ The translation of the foreign language provisional application has been received. 15) ☑ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 10 ☑ Notice of References Cited (PTO-982) 21 ☑ Notice of References Cited (PTO-982) 32 ☑ Notice of Interview Summary (PTO-413) Paper No(s)	· —	,_		association as to the morits is			
4)							
4a) Of the above claim(s) is/are withdrawn from consideration. 5)	Disposition of Claims						
5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) 10	4)⊠ Claim(s) <u>1-32</u> is/are pending in the application.						
6 Claim(s) is/are rejected. 7 Claim(s) is/are objected to. 8 Claim(s) are subject to restriction and/or election requirement. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11 The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12							
7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. Attachment(s) 1) Notice of References Cited (PTO-892) 1) Notice of Informal Patent Application (PTO-152)							
8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)				•			
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved by disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Braftsperson's Patent Drawing Review (PTO-948)	· · · · ·	· · · · · · · · · · · · · · · · · · ·					
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of References Cited (PTO-982) 5) Notice of Informal Patent Application (PTO-152)			election requirement.				
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)	·· _	•					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	•	• • • • • • • • • • • • • • • • • • • •		niner			
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s) Notice of Draftsperson's Patent Drawing Review (PTO-948)	,		. — •				
If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)							
Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)							
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1.	12) The oath or declaration is objected to by the Examiner.						
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Priority under 35 U.S.C. §§ 119 and 120						
1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) ☒ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 1 ☐ Interview Summary (PTO-413) Paper No(s)	13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
2. Certified copies of the priority documents have been received in Application No	a) All b) Some * c) None of:						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)		1. Certified copies of the priority documents have been received.					
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)	:	2. Certified copies of the priority documents have been received in Application No.					
a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)	application from the International Bureau (PCT Rule 17.2(a)).						
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 4) Interview Summary (PTO-413) Paper No(s). 5) Notice of Informal Patent Application (PTO-152)	_ ' _						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)	Attachment(s)						
· · ·	2) D Notice	of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal P				

Application/Control Number: 10/003,037

Art Unit: 1723

J. . .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-13, 16-23 and 28-32 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Wilson et al (US 4,438,863).

Wilson teaches a pond covering system with a membrane (figures, col 3 lines 3-7) having floatation members covered by the membrane (col 3 lines 20-54; 22,28-fig 4; fig 1; col 3 lines (26-29) and plurality of gas relief vents (col 3 lines 30-43; 34-fig 4) as in instant claim 1 and 7. The gas relief passage is elevated above the membrane level as in instant claim 6 (see fig 2 and 4). The floatation members are sealed inside the membrane as in instant claims 2-5, 17and 18 (fig 2,4,6, 68- fig 8). A link member couples the floatation members as in instant claim 8 and 9 (40a-fig 4) with a weight (pipe 36-fig 4), and a second elongated member as in instant claim 10, 19 and 20 (see 50-fig 7). The membrane is anchored by an anchor system as in instant claim 11 and 21 (col 3 lines 20-25), which comprises connectors coupled to the edge of the membranes as in instant claim 12 and 22 with sleeves as in instant claim 13 and 23 (20 fig 2). The covering system has float with width less than 25% of the width of the membrane, and the gas relief opening are between the first and second membrane (at 28-fig 4) as in instant claim 16.

Wilson (863) teaches a method for venting pool with providing a membrane pool cover having one or more membranes and float supports sealed in the membrane, and with a series of gas vent openings as in instant claims 28-32 (see figures 1-10 and col 3 line 3-col 6 line 58).

Application/Control Number: 10/003,037

Art Unit: 1723

ه به الآنه

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1. Determining the scope and contents of the prior art.
- 2. Ascertaining the differences between the prior art and the claims at issue.
- 3. Resolving the level of ordinary skill in the pertinent art.
- 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 14,15, and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson (863) in view of Vogel et al (US6,136194).

Wilson (863) teaches the membrane cover of instant claim 14,15 and 24-27 as in instant claims 1 and 7 above, except for the service opening. Vogel (194) teaches a service opening with adequate edge supports for supporting mechanical equipment, etc (col 5 lines 14-23) in a floating pool cover. It would be obvious to one of ordinary skill in the art at the time of invention to use the teachings of Vogel (194) in the teachings of Wilson (863) to provide service openings for providing mechanical equipment. Etc.

Application/Control Number: 10/003,037

Art Unit: 1723

J 1 4

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Robertson (US 4,916,937), Bandy Jr (US 3,572,506) and Morgan (US 5,562,759) also

teach the pool cover as recited in the instant claims.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Krishnan S Menon whose telephone number is 703-305-5999. The examiner

can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Wanda L Walker can be reached on 703-308-0457. The fax phone numbers for the organization

where this application or proceeding is assigned are 703-872-9310 for regular communications and

703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-0661.

Krishnan S. Menon Patent Examiner

December 16, 2002

SUPERVISORY PATENT EXAMINER **TECHNOLOGY CENTER 1700**

Page 4